



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/567,930	02/10/2006	Yasushi Miyajima	285627US6PCT	5384
22850	7590	07/02/2007		
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER RAJAN, KAI	
			ART UNIT 3736	PAPER NUMBER
			NOTIFICATION DATE 07/02/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com
oblonpat@oblon.com
jgardner@oblon.com

Office Action Summary	Application No. 10/567,930	Applicant(s) MIYAJIMA ET AL.	
	Examiner Kai Rajan	Art Unit 3736	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 - 24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>2/10/2006 & 11/03/2006</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 – 6, 9 – 16, and 18 – 23 are rejected under 35 U.S.C. 102(e) as being anticipated by Nihtila U.S. Patent No. 6,817,979.

1. An image displaying system comprising:

a bio-information acquiring device including a means for measuring bio-information on a person under measurement and a means for sending the bio-information (Figure 2A items 202, 203, 204, 206, 208, 211); and

an image display device including a receiving means for receiving the bio-information, an image generating means for generating an image on the basis of the bio-information and a display means for displaying the image (Figure 2A items 126, 222, 224, 228), wherein

the bio-information acquiring device and image display device are located in difference places and connected to each other via a network (Figure 2A items 202, 204, 206, 208, 211, 224).

2. The system according to claim 1, wherein the image generating means generates an image representing the condition of the person under measurement (Figure 3).

3. The system according to claim 1, wherein:

the bio-information acquiring device includes an environmental information measuring means for quantitatively measuring the environment around the person under measurement (Column 10 lines 26 – 41); and

the image generating means generates images representing the condition of the person under measurement and environment around the person on the basis of the bio-information and environmental information (Column 10 lines 26 – 41).

4. The system according to claim 1, wherein the displaying means receives bio-information on a plurality of persons under measurement, generates images of pseudo creatures representing the condition of each of the persons under measurement, and displays the plurality of pseudo creatures simultaneously (Column 6 lines 24 – 45).

5. The system according to claim 1, wherein the image generating means generates images reflecting the relation in bio-information among the plurality of persons under measurement (Column 6 lines 24 – 45).

6. The system according to claim 3, wherein the image generating means generates images reflecting the relation in environmental information among the plurality of persons under measurement (Column 6 lines 24 – 45, column 10 lines 26 – 41).

9. The system according to claim 1, wherein:

the image display device includes a read-out means for reading out information recorded in a recording medium (Figure 2A items 222, 224, and 228); and

the image generating means generates images representing the condition of the person under measurement and environment around the person on the basis of bio-information and environment information read by the read-out means (Column 6 lines 24 – 45, column 10 lines 26 – 41).

10. The system according to claim 1, wherein the image display device includes a speech generating means for generating a speech representing the condition of the person under measurement on the basis of the bio-information and a speech output means for outputting the speech (Column 8 lines 1 – 11).

11. An image display device connected, via a network, to a bio-information acquiring device that acquires bio-information on a person under measurement, the device comprising:

a bio-information receiving means for receiving bio-information sent from the bio-information acquiring device (Figure 2A item 226);

Art Unit: 3736

an image generating means for generating an image on the basis of the bio-information (Figure 2A item 126); and

a displaying means for displaying the image (Figure 2A items 222, 224).

12. The device according to claim 11, wherein:

the bio-information acquiring device includes an environmental information measuring means for quantitatively measuring the environment around the person under measurement (Column 10 lines 26 – 41); and

the image generating means generates images representing the condition of the person under measurement and environment around the person on the basis of the bio-information and environmental information (Column 10 lines 26 – 41).

13. The device according to claim 11, further comprising a read-out means for reading out information recorded in a recording medium, the image generating means generating images representing the condition of the person under measurement and environment around the person on the basis of bio-information and environment information pre-recorded in the recording medium (Column 10 lines 26 – 41).

14. The device according to claim 11, wherein:

receiving the bio-information on a plurality of persons under measurement from a plurality of bio-information acquiring devices, the image generating means generates images representing the conditions of the persons under measurement (Column 6 lines 24 – 45); and

the displaying means displays the images representing the conditions of the persons under measurement simultaneously (Column 6 lines 24 – 45).

15. The device according to claim 11, wherein the image generating means generates images reflecting the relation in bio-information among the plurality of persons under measurement (Column 6 lines 24 – 45).

16. The system according to claim 12, wherein the image generating means generates image reflecting the relation in environmental information among the plurality of persons under measurement (Column 6 lines 24 – 45, column 10 lines 26 – 41).

18. The device according to claim 11, comprising a read-out means for reading out information recorded in a recording medium, the image generating means generates images representing the condition of the person under measurement and environment around the person on the basis of bio-information and environment information pre-recorded in the recording medium (Column 10 lines 26 – 41).

19. A method of displaying an image, the method comprising the steps of:
acquiring bio-information on a person under measurement; sending the bio-information to a remote device (Figure 6 item 602);
receiving the bio-information sent in the sending step (Figure 6 items 602, 604);

generating an image on the basis of the bio-information received in the receiving step (Figure 6 item 608); and

displaying the image generated in the image generating step (Figure 6 item 614).

20. The method according to claim 19, further comprising the step of quantitatively measuring the environment around the person under measurement; and in the image generating step, there being generated images representing the condition of the person under measurement on the basis of the bio-information and environmental information (Column 6 lines 24 – 45, column 10 lines 26 – 41).

21. The method according to claim 19, wherein:

receiving the bio-information on a plurality of persons under measurement in the receiving step, images representing the conditions of the persons under measurement are generated (Column 6 lines 24 – 45); and

in the displaying step, the images representing the conditions of the persons under measurement are displayed simultaneously (Column 6 lines 24 – 45).

22. The method according to claim 21, wherein the images reflect relation in bio-information among the plurality of persons under measurement (Column 6 lines 24 – 45).

Art Unit: 3736

23. The method according to claim 21, wherein the images reflect the relation in environmental information among the plurality of persons under measurement (Column 6 lines 24 – 45, column 10 lines 26 – 41).

Claims 1, 7, 8, 11, 17, 19, and 24 are rejected under 35 U.S.C. 102(e) as being anticipated by Matos U.S. PGPub No. 2003/0233129.

1. An image displaying system comprising:

a bio-information acquiring device including a means for measuring bio-information on a person under measurement and a means for sending the bio-information (Figure 5G); and

an image display device including a receiving means for receiving the bio-information, an image generating means for generating an image on the basis of the bio-information and a display means for displaying the image (Figure 3, figure 28), wherein

the bio-information acquiring device and image display device are located in difference places and connected to each other via a network (Figure 1).

7. The system according to claim 1, wherein:

the image display device includes a touch detecting means for detecting a touch with the displaying means and a touch signal sending means for sending a touch signal based on the output from the touch detecting means to the bio-information acquiring device (Paragraphs 1768 – 1814, figure 3); and

the bio-information acquiring device includes a cutaneous-stimulus giving means for giving cutaneous stimulus to the person under measurement when receiving the touch signal (Paragraphs 1768 – 1814).

8. The system according to claim 7, wherein the cutaneous-stimulus giving means gives stimulus at least by vibration, electric stimulus and friction (Paragraphs 1768 – 1814).

11. An image display device connected, via a network, to a bio-information acquiring device that acquires bio-information on a person under measurement, the device comprising:

a bio-information receiving means for receiving bio-information sent from the bio-information acquiring device (Figure 5G);

an image generating means for generating an image on the basis of the bio-information (Figure 3, figure 28); and

a displaying means for displaying the image (Figure 3, figure 28).

17. The system according to claim 11, wherein:

the image display device includes a touch detecting means for detecting a touch with the displaying means and a touch signal sending means for sending a touch signal based on the output from the touch detecting means to the bio-information acquiring device (Paragraphs 1768 – 1814, figure 3).

19. A method of displaying an image, the method comprising the steps of:

Art Unit: 3736

acquiring bio-information on a person under measurement; sending the bio-information to a remote device (Figures 18F and 19);

receiving the bio-information sent in the sending step (Figures 18F and 19);

generating an image on the basis of the bio-information received in the receiving step (Figure 3, figure 28); and

displaying the image generated in the image generating step (Figure 3, figure 28).

24. The method according to claim 19, further comprising the steps of:

detecting touch with the image (Paragraphs 1768 – 1814, figure 3); and

giving cutaneous stimulus to the person under measurement on the basis of a signal of the touch detected in the touch detecting step (Paragraphs 1768 – 1814, figure 3).

Conclusion

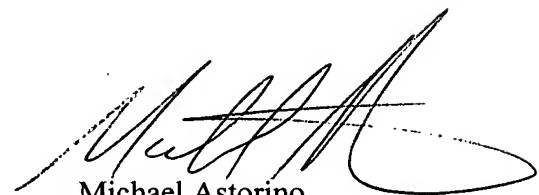
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kai Rajan whose telephone number is 571-272-3077. The examiner can normally be reached on Monday-Friday 9:00AM to 4:00PM.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR

Art Unit: 3736

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

KR
June 23, 2007



Michael Astorino